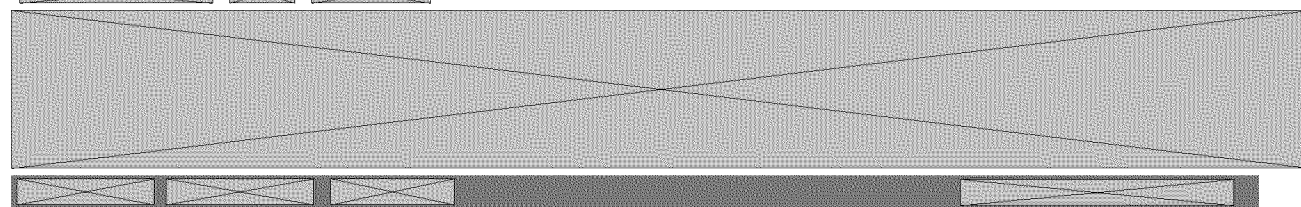


To: Mylott, Richard[Mylott.Richard@epa.gov]
From: BNA Highlights
Sent: Mon 9/12/2016 8:19:54 PM
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Afternoon Briefing - Your Preview of Today's News

The following news provides a snapshot of what Bloomberg BNA is working on today. Read the full version of all the stories in the final issue, published each night.

EPA to Fund \$8.7M Cleanup of Vineland Kil-Tone Site

Posted September 12, 2016, 3:32 P.M. ET

By [Leslie A. Pappas](#)

EPA will be footing the bill for a \$8.7 million Superfund plan to clean up soil contaminated with arsenic and lead from around a former pesticide facility in Vineland, N.J., the Environmental Protection Agency announced today.

The agency says that no potentially responsible parties could be located to fund the cleanup.

The plan calls for removing 21,000 cubic yards of soil from about 57 residential properties near the now defunct Kil-Tone Co. manufacturing plant and backfilling the areas with clean soil, the agency said. Drinking water is not affected and is being regularly monitored, EPA said.

"The EPA's cleanup actions will help protect children and adults from exposure to arsenic and lead in soil at these properties," said EPA Regional Administrator Judith Enck. "The EPA is committed to addressing the lead and arsenic contamination from the former pesticides manufacturing facility site."

A record of the decision is at <http://src.bna.com/iug>

Work Halted on Dakota Access Oil Pipeline With Court Ruling

Posted September 12, 2016, 2:16 P.M. ET

By [Mark Wolski](#)

A federal judge today reinstated a temporary restraining order that stops Dakota Access pipeline construction work from being performed in an area near the Standing Rock Reservation in North Dakota.

Judge James E. Boasberg of the U.S. District Court for the District of Columbia ruled that pipeline construction can continue west of Highway 1806 near the reservation, but that work between the highway and 20 miles east of Lake Oahe must be halted. The order will only remain in effect until a scheduling conference is held Friday, Sept. 16.

The court denied the tribe's motion for an injunction against the nearly 1,200-mile oil pipeline last week, holding that it failed to show irreparable harm. The tribe appealed the ruling to the U.S. Circuit Court of Appeals for the District of Columbia Circuit the same day and again asked for an injunction, maintaining that continued construction could cause the loss or desecration of tribal grave sites. The district court rejected the injunction motion. The case is Standing Rock Sioux Tribe v. U.S. Army Corps of Engineers.

Environmentalists, EPA Dismiss Aircraft Emission Rule Suit

Posted September 12, 2016, 09:15 A.M. ET

By [Rachel Leven](#)

Environmentalists and the Environmental Protection Agency jointly [stipulated](#) Sept. 9 for a federal court to dismiss a lawsuit over regulation of greenhouse gas emissions from aircraft.

The Center for Biological Diversity and Friends of the Earth filed in the U.S. District Court for the District of Columbia in April its lawsuit attempting to force a firm deadline for EPA regulations of these emissions. The EPA issued its final determination in July under Section 231(a) of the Clean Air Act that greenhouse gas emissions from aircraft endanger human health and the environment.

The EPA most recently filed a motion to dismiss the litigation Aug. 19, following the environmentalists' narrowing of their lawsuit on Aug. 5. Environmentalists response to that motion was due Sept. 9. The case is Center for Biological Diversity v. EPA.

EPA Asbestos Review Could Prompt Probe of Chlorine Manufacturers

Posted September 12, 2016, 2:09 P.M. ET

By [Pat Rizzuto](#)

Chlorine manufacturers, which currently are the largest U.S. importers of asbestos, could have their use of the mineral reviewed soon if the Environmental Protection Agency selects asbestos as one of the first substances it will analyze under the amended chemicals law.

Chlorine and caustic soda are manufactured by the chlor-alkali industry, which uses asbestos for one of three processes that companies can use to produce both chemicals. The chlor-alkali industry is the primary importer of asbestos in the U.S., with its use accounting for 90 percent of the 358 tons of asbestos imported into the country in 2015, the U.S. Geological Survey said in its 2016 mineral [summary](#).

Automotive brake manufacturers, some Democratic senators, and environmental and health groups have urged the EPA to examine the risks of asbestos as one of the first 10 chemicals it reviews under the recently amended Toxic Substances Control Act.

If EPA examines chlor-alkali production processes, it will find manufacturers already take extensive actions to protect workers and the public from exposure, the American Chemistry Council told Bloomberg BNA.

Former EPA Head Feels 'Despair' Over Republican Apathy on Climate

Posted September 12, 2016, 12:12 P.M. ET

By [Andrew Childers](#)

The lack of Republican action or urgency on climate change provokes "despair," the head of the Environmental Protection Agency under former President George Herbert Walker Bush said today.

"If the [Clean Power Plan] were to go away we'd not even be close to achieving the commitments that were made recently with so much hope and excitement in Paris," William K. Reilly, a former EPA administrator, said at the Brookings Institution.

Reilly conceded arguments that the EPA has delved too deeply into the economy to dictate how electricity must be generated. However, "EPA has attempted to anticipate it by giving considerable authority and responsibility to the

states," he said.

Reilly and former EPA Administrator William Ruckelshaus have defended the Clean Power Plan in court. The full U.S. Court of Appeals for the District of Columbia Circuit will hear Clean Power Plan arguments Sept. 27.

Delaware to Review Environmental Regulations

Posted September 12, 2016, 2:25 P.M. ET

By [Leslie A. Pappas](#)

Delaware is reviewing whether certain state environmental regulations should be changed or scrapped.

Agency regulations that have not been changed in the past four years will be the subject of hearings on Sept. 15, 19 and 21 in Dover, Georgetown and Middletown, respectively, the Delaware Department of Natural Resources and Environmental Control [said](#) Sept. 12.

The public hearings are part of a three-month review of regulations that began Aug. 4 and ends Nov. 4. A list of the regulations up for review is at <http://src.bna.com/itl>

India Launches WTO Dispute Over U.S. Environmental Subsidies

Posted September 12, 2016, 12:27 P.M. ET

By [Bryce Baschuk](#)

India launched a new World Trade Organization dispute over a series of alleged U.S. subsidies and requirements in the renewable energy sector that New Delhi said violated international trade rules.

India claimed that eight U.S. states—California, Connecticut, Delaware, Massachusetts, Michigan, Minnesota, Montana and Washington—imposed illegal domestic content requirements and provided subsidies that favored domestic products over imported goods.

Though New Delhi did not cite which specific programs it was targeting, it said the measures violated the WTO's Agreement on Trade-Related Investment Measures and the Agreement on Subsidies and Countervailing Measures. The dispute request comes just days before the WTO is set to rule on the legality of India's domestic content requirements for solar cells and solar modules.

Daily Environment Report

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